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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

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15 **INTERLINK PRODUCTS  
INTERNATIONAL, INC.,**

16 Plaintiff,

17 v.

18 **DREW BOHAN, and MELISSA RAE  
KING,**

19 Defendants.

20 No. 2:20-cv-02277-KJM-CKD consolidated  
with No. 2:20-cv-02283-KJM-CKD

21 **JOINT STATUS REPORT AND ORDER  
EXTENDING TIME TO FILE  
RESPONSIVE PLEADING**

22 Judge: Hon. Kimberly J. Mueller  
Trial Date: n/a  
Action Filed: June 23, 2020

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1 Pursuant to the Court’s Stipulated Order of June 11, 2021, the parties provide the following  
2 status report:

3 In light of the similar issues to those raised in Interlink’s First Amended Complaint, the  
4 parties entered into a stipulation to stay the two above-captioned consolidated actions pending the  
5 Ninth Circuit’s ruling in *Association des Éleveurs de Canards et d’Oies du Québec v. Bonta*,  
6 Ninth Circuit case no. 20-55882/20-55944 (*Canards III*). See Stipulation and [Proposed] Order  
7 Re Stay of Consolidated Actions, ECF No. 51. On June 11, 2021, the Court entered the Order Re  
8 Stay of Consolidated Actions. ECF No. 52.

9 On May 6, 2022, the Ninth Circuit issued its decision in *Canards III*, holding that the  
10 California statute challenged in that case was not preempted and did not violate the dormant  
11 Commerce Clause, and that certain “transactions are out-of-state sales permitted by California  
12 law.” *Association des Éleveurs de Canards et d’Oies du Québec (Canards III)*, 33 F.4th  
13 1107, 1112 (9th Cir. 2022).

14 The plaintiffs in *Canards III* have filed a petition for panel rehearing and for rehearing en  
15 banc. Accordingly, the Ninth Circuit’s mandate in that case will not issue until after the  
16 resolution of the petition and any further proceedings on appeal. For the same reasons of  
17 conserving the parties’ and the Court’s resources as previously stipulated and ordered, the parties  
18 agree that the Court’s stay should remain in effect pending the issuance of the Ninth Circuit’s  
19 mandate in *Canards III*.

20 Under the parties’ prior stipulation and order in this case, Defendants’ responsive pleading  
21 would be due June 20, 2022, i.e., 45 days from the date of the ruling in *Canards III*. See Order Re  
22 Stay of Consolidated Actions, ECF No. 52. Accordingly, the parties agree to extend Defendants’  
23 deadline to file a responsive pleading until 45 days after the issuance of the mandate in *Canards  
III*.

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1 NOW, THEREFORE, THE PARTIES REQUEST THAT THE COURT ORDER AS  
2 FOLLOWS:

3       1. The two above-captioned consolidated actions shall remain stayed until the Ninth  
4 Circuit issues its mandate in *Association des Éleveurs de Canards et d'Oies du Québec v. Bonta*  
*(Canards III)*, Ninth Circuit case no. 20-55882/20-55944

5       2. Defendants' responsive pleading to Interlink's First Amended Complaint shall be  
6 due 45 days after issuance of the Ninth Circuit's mandate in *Canards III*.

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9 Dated: June 16, 2022

/s/ Michael Tenenbaum

Michael Tenenbaum, Esq.

THE OFFICE OF MICHAEL TENENBAUM, ESQ.

Counsel for Plaintiff Interlink Products  
International, Inc.

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15 ROB BONTA  
16 Attorney General of California  
17 RUSSELL B. HILDRETH  
18 Supervising Deputy Attorney General

19 Dated: June 16, 2022

/s/ Courtney Covington

COURTNEY COVINGTON

Deputy Attorney General

Attorneys for Defendants

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23 **IT IS SO ORDERED.**

24 DATED: June 24, 2022.

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CHIEF UNITED STATES DISTRICT JUDGE